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January 13, 2012

BY ELECTRONIC FILING

The Honorable Jack B. Weinstein
United State District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Julia Chacon v. WMC Mortgage LLC, et al., Index No. 1:11-cv-05660-JBW-JO

Dear Judge Weinstein:

We are the attorneys for Defendant WMC Mortgage LLC ("WMC"), successor in interest to WMC Mortgage Corp., in the above referenced action. I write in connection with WMC's motion to dismiss this action, which was filed on December 21, 2011 (*see* Dkt. Nos. 5 and 6) (the "Motion"). Pursuant to Local Rule 6.1(b), Plaintiff's deadline to serve and file an opposition to the Motion was January 4, 2012. The Court has scheduled a hearing on the Motion for January 19, 2012 at 10 a.m. (*see* Dkt. No. 11). However, Plaintiff has neither served nor filed an opposition to the Motion.

On January 11, 2012, Plaintiff's counsel indicated to me that he wishes to file an opposition to the Motion. WMC does not object to Plaintiff's counsel filing such an opposition, provided he files the opposition promptly. Subject to the Court's approval, we agreed upon a briefing schedule whereby Plaintiff would file an opposition to the Motion on February 10, 2012, and WMC would file a reply in further support of the Motion on February 24, 2012. We further respectfully request that the Court reschedule the hearing on this Motion for the earliest available date subsequent to February 24, 2011.

We respectfully request that, in the event that the Court permits Plaintiff to file an opposition to the Motion notwithstanding the passage of Plaintiff's original opposition deadline, the Court adopt the above schedule.

We thank Your Honor for your consideration of this matter.

Respectfully submitted,

/s/

Eric B. Epstein